

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 932
93RD GENERAL ASSEMBLY

Reported from the Committee on Local Government April 6, 2006 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 932 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

4624L.05C

AN ACT

To repeal sections 50.327, 50.339, 52.230, 54.040, 59.331, 228.040, 228.070, and 228.190, RSMo, and to enact in lieu thereof ten new sections relating to county officials.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 50.327, 50.339, 52.230, 54.040, 59.331, 228.040, 228.070, and 228.190, RSMo, are repealed and ten new sections enacted in lieu thereof, to be known as sections 49.292, 50.327, 50.339, 52.230, 54.040, 59.331, 59.332, 228.040, 228.190, and 473.748, to read as follows:

49.292. 1. Notwithstanding any other law to the contrary, the county commission of any county may reject the transfer of title of real property to the county by donation or dedication if the commission determines that such rejection is in the public interest of the county.

2. No transfer of title of real property to the county commission or any other political subdivision by donation or dedication authorized to be recorded in the office of the recorder of deeds shall be valid unless it has been proved or acknowledged. The preparer of the document relating to subsection 1 of this section shall not submit a document to the recorder of deeds for recording unless the acceptance thereof of the grantee named in the document has been proved or acknowledged.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

50.327. [Notwithstanding any other provisions of law to the contrary,] The salary
2 schedules contained in section 49.082, RSMo, sections 50.334 and 50.343, 51.281, RSMo,
3 51.282, RSMo, 52.269, RSMo, 53.082, RSMo, 53.083, RSMo, 54.261, RSMo, 54.320, RSMo,
4 55.091, RSMo, 56.265, RSMo, 57.317, RSMo, [and] 58.095, RSMo, **and 473.742, RSMo**, shall
5 be set as a base schedule for those county officials, unless the current salary of such officials, as
6 of August 28, 2005, is **higher or** lower than the compensation provided under the salary
7 schedules. Beginning August 28, 2005, the salary commission in all counties except charter
8 counties in this state shall be responsible for the computation of salaries of all county officials;
9 provided, however, that any percentage salary adjustments in a county shall be equal for all such
10 officials in that county **and that in no event shall base salary or compensation set on or after**
11 **August 28, 2005, be reduced below the salary or compensation being paid for any such**
12 **offices or officers on August 28, 2005. All actions or votes taken under the authority of**
13 **section 50.333 between August 28, 2005, and December 31, 2005, shall be subject to this**
14 **provision and any such action or vote not in compliance with this provision as amended by**
15 **this act shall be void.**

50.339. 1. In any county of the first classification with more than seventy-one thousand
2 three hundred but less than seventy-one thousand four hundred inhabitants, the salary
3 commission at its meeting in 2003 and at any meeting held in 2004 may equalize the base salary
4 for each office to an amount not greater than that set by law as the maximum compensation.
5 Nothing in this section shall be construed to prevent offices which have additional compensation
6 specified in law from receiving such compensation or from having such compensation added to
7 the base compensation in excess of the equalized salary.

8 2. Notwithstanding any provision of section 50.343, **50.333, or 50.327** to the contrary,
9 in any county of the first classification with more than sixty-eight thousand six hundred but less
10 than sixty-eight thousand seven hundred inhabitants, the salary commission may meet in the year
11 **[2004] 2007** to determine whether to equalize the base salary for the office of treasurer **and**
12 **public administrator** with the base salaries of [other county officers at an amount not greater
13 than the amount set as the maximum compensation in subdivision (1) of subsection 1 of section
14 **50.343] the offices of auditor and recorder of deeds.**

52.230. Each year the collectors of revenue in all counties of the first class not having
2 a charter form of government, and in all second, third and fourth class counties of the state, not
3 under township organization, shall mail to all resident taxpayers, at least **[fifteen] thirty** days
4 prior to delinquent date, a statement of all real and tangible personal property taxes due and
5 assessed on the current tax books in the name of the taxpayers. Such statement shall also include
6 the amount of real and tangible personal property taxes delinquent at the time of the mailing of
7 the statement, including any interest and penalties associated with the delinquent taxes. Such

8 statement shall declare upon its face, or by an attachment thereto, that they are delinquent at the
9 time such statement is mailed for an amount of real or tangible personal property taxes, or both.
10 Collectors shall also mail tax receipts for all the taxes received by mail.

54.040. **1. A candidate for county treasurer shall be at least twenty-one years of age
2 and a resident of the state of Missouri and the county in which he or she is a candidate for
3 at least one year prior to the date of the general election for such office. The candidate
4 shall also be a registered voter and shall be current in the payment of all personal and real
5 estate taxes. Upon election to such office, the person shall continue to reside in that county
6 during his or her tenure in office.**

7 **2. No sheriff, marshal, clerk or collector, or the deputy of any such officer, shall be**
8 **eligible to the office of treasurer of any county.**

59.331. The preparer of a document shall not include an individual's [federal Social
2 Security number] **sensitive personal identifying information** in a document that is prepared
3 and presented for recording in the office of the recorder of deeds. **"Sensitive personal
4 identifying information" includes federal Social Security numbers, bank account numbers,
5 and credit card account numbers.** This section does not apply to state or federal tax liens,
6 military separation or discharge papers, and other documents required by law to contain such
7 information that are filed or recorded in the office of the recorder of deeds. **Should any
8 person's sensitive personal identifying information appear on any document prepared or
9 submitted for recording, the preparer, submitter, or anyone in an agency relationship with
10 the person may redact, remove, or delete the sensitive personal identifying information
11 before submission to the recorder of deeds. Any such redaction, removal, or deletion shall
12 not in any way affect the legal status of the transaction described in the document. The
13 recorder of deeds shall not alter or modify any document in the official record except as
14 otherwise provided by law.**

59.332. **Should any sensitive personal identifying information, as defined in section
2 59.331, appear in any record or image viewable on any publicly available Internet web site
3 maintained or sponsored by a recorder of deeds, any person may apply to the recorder of
4 deeds for redaction or removal of that sensitive personal identifying information. Any such
5 application shall be made in writing, signed by the applicant, his or her attorney, or legal
6 guardian, and shall specifically identify the document or documents containing the
7 sensitive personal identifying information. The application shall be accompanied by a
8 legible copy of each recorded document affected by the application, upon which the
9 sensitive personal identifying information that is to be redacted is highlighted or otherwise
10 indicated. Upon receipt of an application submitted in compliance with this section, the**

11 **recorder of deeds may redact or remove the affected document from the records viewable**
12 **on the publicly available Internet web site.**

228.040. When the petition required by section 228.020 is presented, and upon proof of
2 notice having been given as required in section 228.030, if no remonstrance is filed and if the
3 petitioners give the right-of-way for the proposed road or pay into the county treasury an amount
4 of money equal to the whole amount of damages claimed by landowners through whose land the
5 proposed road would run, the county commission[, without discretion to do otherwise, must]
6 **may open said road if the commission determines that it is in the public interest of the**
7 **county**, and thereupon the commission shall proceed as in sections 228.010 to 228.190 provided
8 in cases where upon a hearing the commission find it necessary to establish a road.

228.190. **1.** All roads in this state that have been established by any order of the county
2 commission, and have been used as public highways for a period of ten years or more, shall be
3 deemed legally established public roads; and all roads that have been used as such by the public
4 for ten years continuously, and upon which there shall have been expended public money or
5 labor for such period, shall be deemed legally established roads; and nonuse by the public for
6 five years continuously of any public road shall be deemed an abandonment and vacation of the
7 same.

8 **2.** From and after January 1, 1990, any road in any county that has been identified
9 as a county road for which the county receives allocations of county aid road trust funds
10 from or through the department of transportation for a period of at least five years shall
11 be conclusively deemed to be a public county road without further proof of the status of
12 the road as a public road. No such public road shall be abandoned or vacated except
13 through the actions of the county commission declaring such road vacated after public
14 hearing, or through the process set out in section 228.110.

473.748. **1.** As used in this section, the terms "conservator", "guardian",
2 "protectee", and "ward" shall have the same definitions as in section 475.010, RSMo.

3 **2.** Any term, provision, consideration, or covenant in any contract for treatment,
4 goods, or services shall be unenforceable if such term, provision, consideration, or covenant
5 requires a public administrator who is acting as a guardian or conservator to personally
6 pay, assume, or guarantee the debt or account of a ward or protectee.

[228.070. No county commission shall order a road established or
2 changed until such proposed road or change has been examined and approved by
3 the county highway engineer.]

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